

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

National Stabilization Agreement of the Sheet Metal	)	
Industry Trust Fund, et al.	)	
	)	
Plaintiffs,	)	
vs.	)	
	)	
E A Breen Jr. Roofing & Sheet Metal Work, Inc.	)	
a/k/a E A Breen, Jr. Roofing & Sheet Metal, Inc.	)	
a/k/a E A Breen Jr. Rfg & Sheet Metal Works	)	
a/k/a E A Breen Jr. Rfg & SM Works, Inc.	)	MBD No. 05-mc-10308-RCL
	)	
Defendant	)	
	)	
and	)	
	)	
Winter Hill Bank,	)	
Trustee	)	

**MOTION TO CHARGE TRUSTEE**

Now come the Plaintiffs in the above-captioned matter and say that the Trustee, Winter Hill Bank, has filed an Answer admitting that funds of the Defendant are being held in the sum of \$29,586.29, the amount set forth in the summons to trustee served on December 6, 2005.

WHEREFORE the Plaintiffs move that the Trustee, Winter Hill Bank, be charged upon the Answer filed and that judgment enter in the amount of \$29,586.29. The Plaintiffs have filed a memorandum in support of this motion.

**REQUEST FOR ORAL ARGUMENT**

The Plaintiffs believe that oral argument may assist the court and wish to be heard in this matter.

PLAINTIFFS,  
NATIONAL STABILIZATION  
AGREEMENT OF THE SHEET  
METAL INDUSTRY TRUST  
FUND, ET AL  
By their attorney,

/s/ Randall E. Nash

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April 19, 2006  
Date

Local Rule 7.1(A)(2) Certification

I hereby certify that I have conferred with counsel and attempted in good faith to resolve or narrow this issue.

/s/ Randall E. Nash

Randall E. Nash  
BBO #546963

Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 19, 2006.

/s/ Randall E. Nash

Randall E. Nash  
BBO #546963